



## **PROCLAMATION AND CONTINUED DECLARATION OF EMERGENCY BY THE Mayor of the Town of Clarkdale Requiring Face Coverings in Public**

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WHEREAS the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020, and the Governor of Arizona declared an emergency due to COVID-19; and

WHEREAS, on March 18, 2020 the Mayor of Clarkdale issued a Declaration and Proclamation declaring COVID-19 an emergency in Clarkdale; and

WHEREAS, on May 12, 2020 the Governor of Arizona issued an Executive Order allowing for the gradual opening of businesses with a "Stay Healthy, Return Smarter, Return Stronger" initiative; and

WHEREAS, subsequent to the reopening of businesses and the increase in public gatherings, the number of cases in Yavapai County is on an upward trajectory as reported by the Arizona Department of Health Services; and

WHEREAS, there is no vaccine, treatment or cure for COVID-19; and

WHEREAS, without vaccine, treatment or cure individuals must together prevent exposure to COVID-19 which continues to pose a serious public health threat for infectious disease spread to the Town of Clarkdale residents and visitors if proper public health recommended precautions are not followed; and

WHEREAS, on June 17, 2020 the Governor issued Executive Order 2020-40 allowing municipalities to adopt policies regarding the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, it is necessary and appropriate to take action to ensure the control of the spread of COVID-19 and that the residents of Clarkdale remain safe and healthy; and

WHEREAS, the Mayor of the Town of Clarkdale is authorized by the Town of Clarkdale Code § 2-2-3(F) and A.R.S. §26-311 to declare an emergency; and


WHEREAS, during the emergency, the Mayor shall govern by proclamation and have the authority to preserve the peace and order of the Town of Clarkdale.

**NOW THEREFORE, I, Robyn Prud'homme-Bauer, Mayor of the Town of Clarkdale, by virtue of the authority vested in me by the Constitution and Laws of the State of Arizona, do hereby proclaim and order:**

1. A public health emergency continues to exist in the Town of Clarkdale.
2. The Town of Clarkdale abides by the Executive Orders of the Governor of Arizona.
3. "Face Covering" as used in this proclamation means either
  - a. a face mask fabricated to cover the nose and mouth or
  - b. a cloth face covering which covers the nose and mouth and is large enough to be secured under the chin and kept on the face hands-free with either loops or rubber bands over the ears or can be tied or looped to the back of the head. Cloth face covering should be made of a tight-weave-fabric and be folded or sewn to have more than one layer.
  - c. a bandana, scarf or similar clothing.
  - d. The face mask may not have a one-way exhale valve on it.
4. Face Coverings shall fit snugly but allow the wearer to breathe easily.
5. Individuals who are not required to wear a Face Covering are children and infants two (2) years old or younger and people of all ages with medical conditions which would preclude them from wearing Face Coverings.
6. I hereby continue the Proclamation signed by Mayor Von Gausig that stated: Beginning June 19, 2020 at 8:00 a.m. Arizona time, all other individuals shall wear a Face Covering while in public within the town limits of the Town of Clarkdale under these circumstances:
  - a. when in public space and in proximity to people, including multi-use pathways
    - i. indoors if another person is present,
    - ii. outdoors if another person is within 10 feet when in public areas of businesses or government buildings,
  - b. when waiting in line, and
  - c. in workspaces not open to the public. (It is recommended in nonpublic workspaces Face Coverings be worn as recommended or required by the Arizona Division of Occupational Safety and Health (ADOSH) and any policies set by a business or employer.)
7. All businesses and employers shall supply, at the request of and at no cost to an employee or contract worker only, a Face Covering to comply with this proclamation.
8. The public shall not be allowed to enter the Town of Clarkdale government buildings or facilities, including open space areas, without a Face Covering.
9. Face Coverings are not required:
  - a. when at home,
  - b. when alone in a vehicle or in the vehicle only with people you live with,
  - c. when eating,
  - d. when exercising outdoors alone or with people you live with,
  - e. when swimming and kayaking as long as social distancing of at least 10 feet can be maintained,
  - f. when outdoors if another person is further than 10 feet away.

10. Any enforcement of this proclamation shall focus first on educating and working to promote best practices to accomplish the goal of mitigation. Before any enforcement action is taken to enforce this order under ARS § 26-317 (a class 1 misdemeanor), a person shall be notified and given an opportunity to comply. Thereafter, all enforcement matters shall be referred to the Town Prosecutor for a determination of charges.
11. If any provision of this proclamation or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity affects no other provision or application of this proclamation. Those provisions that remain valid shall be given effect without the invalid provision or application. To achieve this purpose, the provisions of this proclamation are declared to be severable.
12. This proclamation shall remain in full force and effect for the duration of the COVID-19 Public Health Emergency or until lawfully amended or terminated.

Dated this 18<sup>th</sup> day of November 2020

  
Robyn Prud'homme-Bauer, Mayor

ATTEST:

  
Mary Ellen Dunn, Town Clerk